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18th October 2019

Dear Mr. Sinclair,

**Application No:** 19/02226/PPPA

**Location:** London City Airport, Hartmann Road, Silvertown, London E16 2PX

**Proposal:** Consultation on London City Airport Draft Master Plan 2020 – 2035

**Response to LCY consultation from London Borough of Newham**

I write in response to London City Airport's consultation on its Draft Masterplan on behalf of London Borough of Newham as Local Planning Authority.

This letter comprises:

- 1) Introduction – including some background information
- 2) Aviation Policy Framework – compliance Issues
- 3) The Council's Position on Aviation
- 4) Relationship of the Draft Master Plan to the CADP (City Airport Development Programme) Planning Permission (13/01228/FUL)
- 5) Development Plan Policies
- 6) Assessment of the Draft Master Plan – by subject area
- 7) Cumulative Impact of Air Traffic Movements
- 8) Conclusions

1) Introduction

The Local Planning Authority notes that:

- a) the Airport Master Plan process is set by the Aviation Policy Framework (APF), published by the Department for Transport in 2013, which offers guidance on the content of such Plans;
- b) the APF recognises the role of Master Plans, that is, '...informing future land use, transport and economic planning processes, and in supporting prospective planning applications.'; and
- c) the London City Airport Draft Master Plan does not offer any information as to whether the Master Plan is to be followed by a planning application.

In terms of the Master Plan process to date, the Local Planning Authority notes that:

- a) the Draft Master Plan was published on 28<sup>th</sup> June 2019;
- b) a PPPA between London City Airport and the Local Planning Authority was signed on 7<sup>th</sup> August 2019;
- c) a presentation by London City Airport representatives was made to Newham Council officers on 29<sup>th</sup> August 2019;
- d) supporting evidence comprising seven Background Reports to the Draft Master Plan was published on 30<sup>th</sup> August 2019; and,
- e) a presentation by London City Airport representatives was made to Newham's Development Control Members' Forum on 13<sup>th</sup> September 2019.

The Local Planning Authority continues to welcome the positive and proactive working relationship it has had with London City Airport ('the Airport') for many years, which is based on seeking solutions to problems arising in relation to dealing with planning applications, and recognises the many benefits that the Airport has brought to the area.

## 2) Aviation Policy Framework – Compliance Issues

The Local Planning Authority notes that there is an instance where the Draft Master Plan may not be compliant with the APF. Please refer to the 'Noise' section below for details.

## 3) The Council's Position on Aviation

The Council's position relating to aviation, as expressed in its response to the Green Paper on Aviation ('Aviation 2050 – the Future of UK Aviation') in June 2019, comprises a number of 'in principle' positions, which include:

"The Council would support:

- any proposal to improve air quality;
- any proposal to reduce 'greenhouse gas' emissions;
- any proposal to reduce noise levels, including incentives for airports and airlines to introduce 'next generation' aircraft and the prevention of any night-time or early morning flights over the borough.

The Council would oppose:

- Any proposal that would lead to a deterioration in air quality. Assessments should include the cumulative effect of all existing and proposed sources of pollution. Decreases in pollution from 'new generation' aircraft should not be negated by an increase in the total number of aircraft.
- Any proposal that would lead to increases in noise levels, including any extensions to approved airport operating hours – Heathrow or LCY. Noise assessments should include the cumulative effect of all existing and proposed sources of noise. Decreases in noise from 'new generation' aircraft should not be negated by an increase in the total number of aircraft.
- Any proposal that would lead to an increase in 'greenhouse gases'."

This position will inform the Local Planning Authority's assessment of the Draft Master Plan.

4) Relationship of the Draft Master Plan to the CADP (City Airport Development Programme) Planning Permission (13/01228/FUL):

The Local Planning Authority notes that a major redevelopment of the Airport is underway. There are a number of planning conditions and a S106 Agreement associated with this permission, some of which are directly relevant to proposals in the Draft Master Plan. In some cases the draft Master Plan suggests changes to extant planning controls. These are referenced below where relevant.

The Local Planning Authority also notes that the incompleteness of information in the Draft Master Plan regarding the measures required for the mitigation of noise, for example, through the CADP permission; and, details of those additional measures which are proposed to specifically address any potential impacts arising from the proposed increase to 151,000 ATMs (146,000 scheduled and 5,000 business jet).

5) Development Plan Policies

To the extent that the Council's Development Plan policies are material to an application for planning permission any planning application that is submitted to the Local Planning Authority will be taken in accordance with the Development Plan unless there are material considerations that indicate otherwise. The National Planning Policy Framework represents up-to-date government planning policy and is a material consideration that would be taken into account where it is relevant to a planning application or appeal.

The Local Planning Authority notes that the Draft Master Plan references the Development Plan, but does not include any detailed assessment of the policies therein.

6) Assessment of the Draft Master Plan – by Subject Area

a) Flight and Passenger Numbers

The Local Planning Authority notes that the Draft Master Plan forecasts an increase in the number of passengers from the current permitted limit of 6.5 million per annum to 11 million per annum; an increase of 69%. To accommodate this, it forecasts that an increase in the number of Air Traffic Movements (ATMs) from the current permitted limit of 111,000 to 151,000 by 2035, representing a 36% increase, is required. Compared to the actual number of flights in 2018 of 80,668, this represents an 87% increase.

b) Accommodating the Flight and Passenger Numbers

i) Regarding physical infrastructure:

The Draft Master Plan states that there will be no new runway and no runway extension required. However, it indicates that additional infrastructure works will be required including three extra aircraft stands, to accommodate larger aircraft, and some terminal works. All works can apparently be accommodated within the current airport site boundaries, except for a 'modest' extension of the existing decking over King George V Dock.

ii) Regarding distribution of additional flights across the week, the Local Planning Authority notes:

- the Draft Master Plan is suggesting 'adjustment' and 'flexibility' to current permitted operating hours, as follows:

- more (the number is not specified) flights between 6:30 and 7:00 (currently limited to 6 flights per day);
- more (the number is not specified) flights between 22.00 and 22.30 (currently limited to 400 flights per annum, but only under specific circumstances); and;
- more (the number is not specified) flights at weekends. The exact proposal is not clearly stated. The ambiguity of the drafting leads the reader to consider whether this means that the current restriction on flights from 12.30 on Saturday to 12.30 on Sunday might be affected, or the number of flights during permitted flying times increased, or, both.

### Evidence Base

#### Accommodating the Flight and Passenger Numbers:

The Local Planning Authority notes that the means of accommodating such an increase in the number of ATMs and passengers is not made clear.

A forecast BDTT (Busy Day Time Table), crucial for assessment in this case (and for the assessment of demand for surface access to and from the Airport) has been requested, but is not available. No information is provided as to the likely spread of flights across current permitted operating hours, or, with additional operating hours and additional flights during restricted periods, as suggested in the Draft Master Plan. However, based on the information that is available to the Local Planning Authority, it appears that the proposed increase to 151,000 ATMs assumes a seven full day operating period, rather than the current six day operating period over 7 days.

The proposed increase in ATMs would suggest that the passenger capacity would be 12 million per annum rather than 11 million. The latter would suggest 135,000 flights are required rather than the forecast 151,000 movements.

The Local Planning Authority would query whether the permitted CADP permission comprises sufficient capacity to accommodate the indicated increase in the number of passengers without extensive additional development.

#### c) Noise

The Draft Master Plan states that the proposed increase in the number of ATMs will not affect current permitted levels of noise to any significant extent, and would be accommodated within the full use 57dB contour. This would be achieved through the introduction of 'quieter new generation' aircraft. This appears to contradict Condition 33 of the CADP permission, which requires the Airport to implement a reduction in the size of the 57dB contour by 2030, followed by further reductions. No information has been provided in the Draft Master Plan to justify any change to this commitment.

The Local Planning Authority understands that the introduction of new aircraft is a commercial decision made by individual airlines over which the Airport has limited influence. This leads the LPA to question the Airport's assumption that the airlines will 're-fleet' by 2035.

The Draft Master Plan does not include any mention of the recognition in the Green Paper on Aviation that 'community annoyance' now commences at 54dB rather than 57bB, which has implications for the standards required of future Sound Insulation Schemes. The draft Master

Plan does propose improvements to the Sound Insulation Scheme (SIS) required by the CADP planning permission. However, it does not specify what these would be.

There appears to be two instances where the Draft Master Plan is not compliant with the Aviation Policy Framework, as follows:

- Firstly, there is a sole reliance within the Masterplan on the use of the contour size to demonstrate the lack of impact from noise from any expansion in flight numbers. However, the Aviation Policy Framework (2013) states:

*“...the Government encourages airport operators to use alternative measures which better reflect how aircraft noise is experienced in different localities. Examples include frequency and pattern of movements and highest noise levels which can be expected.”*

Inclusion of N65 and N70 measurements could help provide a more robust noise assessment to test the proposals within the Draft Masterplan and could provide different conclusions to those reported in the Master Plan Noise Assessment Report. In addition, the use of frequency parameters is also emphasised within Survey of Noise Attitudes 2014 (SoNA2014), a document recognised within the Draft Master Plan Noise Assessment Report as new UK guidance in aviation policy.

- Secondly, the APF states that, *“The Government’s overall policy on aviation noise is to limit and, where possible, reduce the number of people in the UK significantly affected by aircraft noise, as part of a policy of sharing benefits of noise reduction with industry”*. The Master Plan does not appear to be consistent with this.

#### Evidence Base

The Local Planning Authority is concerned that the methodology for noise measurement is flawed; and, the information that has been provided is not an accurate forecast of noise levels.

There is no assessment of noise levels that might arise from extended or more intensive operating times for the Docklands Light Railway.

There is no mention of mitigation measures for noise caused by construction works; the ongoing out of operational hours works associated with CADP have been justified on the basis of operational necessity but this has not been identified in order to deliver the Master Plan.

#### d) Air Quality

Air quality is an issue of particular concern to the Council: Newham has the highest rate of deaths in England caused by air quality, and 96 people are estimated to die prematurely in Newham each year (Public Health England, 2018).

The Council is committed to adopting a new five year Air Quality Action Plan (2019-2024) and a borough-wide Air Quality Management Area (AQMA) in December 2019, in order to reduce the exposure of its residents to poor air quality, and to protect and improve health outcomes.

The Council and other stakeholders are making significant investment in improving air quality within the Borough.

The Draft Master Plan states that:

*“While growth to 151,000 ATMs by 2035 would lead to increased aircraft activity and increased emissions of NOx, PM10 and PM2.5, concentrations of NO2, PM10 and PM2.5*

*are predicted to decrease and would therefore remain below the UK's air quality objectives. The decrease in concentrations is due to the predicted decrease in road traffic emissions due to tighter emissions regulations and in background concentrations between 2017 and 2035."*

The Local Planning Authority notes that this contradicts the summary of annual pollutant emissions between 2017 and 2035 (*Air Quality Assessment, table 1 p.D3*), which specifies an overall 53% increase in Nitrogen Dioxide (NO<sub>x</sub>) emissions, an 8.4% increase in Particles < 2.5 µm (PM<sub>10</sub>) and 4.9% increase in Particles < 10 µm (PM<sub>2.5</sub>).

#### Evidence base

The Local Planning Authority specifically notes that statistics produced by the Greater London Authority (GLA London Atmospheric Emissions Inventory 2013) are omitted from the Draft Master Plan. These indicate that Newham has the 3<sup>rd</sup> highest level of NO<sub>x</sub> generated by aviation of any London borough; this level is forecast to increase both absolutely and proportionately. PM<sub>10</sub> levels from aviation are relatively low, although forecast to increase.

#### e) Climate Change

Climate change is of paramount concern to the Council. On 15<sup>th</sup> April 2019, full Council approved a Declaration of Climate Emergency, together with 'LB Newham Air Quality and Climate Change Strategic Intent Part One: Air Quality Action Planning for LB Newham'. Details can be found here:

<https://mgov.newham.gov.uk/ieListDocuments.aspx?CId=295&MIId=12179&Ver=4>

Consequent to the Declaration, on 3<sup>rd</sup> September 2019 the Council's Cabinet approved 'Newham Air Quality and Climate Change Strategic Intent Part Two: Addressing Climate Change', details of which can be found here:

<https://mgov.newham.gov.uk/documents/s130960/Climate%20Change%20Report%20Cabinet%20Final%20version.pdf>

The Local Planning Authority notes that:

- the Draft Master Plan states that the Airport aims to achieve 'Airport Carbon Accreditation Level 3+ neutrality' by 2020. However, this does not include emissions from airborne aircraft; the draft Master Plan states that the Airport is 'committed to achieving net zero emissions by 2050'; and
- there is no mention of the possible use of biofuels or alternative fuel technology to reduce the carbon footprint of the aeroplanes.

#### Evidence base

The information provided in the '[Technical Note on Carbon and Greenhouse Gas Emissions](#)' is based on that supplied by the Airport for the CADP planning application, and is therefore inadequate to properly assess the likely impacts of the Draft Master Plan.

#### f) Surface Access

The means of travelling to and from the Airport has a considerable influence on air quality, noise and congestion, on both public transport and in motor vehicles. The demand for surface

access will be determined by the number of passengers using the Airport, and this will be directly related to the increase in the number of flights.

The Draft Master Plan includes targets for an increase in the proportion of passengers using public and other sustainable transport of 80%.

The Airport is using passenger modal splits from the Airport Service Quality (ASQ) data prepared by the Airports Council International (ACI) [notified in LCY response to LBN queries 17 September 2019], an unpublished source. Passenger modal split data for the Airport is also available from the UK Civil Aviation Authority, and these are published. There are significant variations between these two sources. For example the Airport's source suggests that 64% of passengers use the DLR and 22% Black Cabs/mini-cabs/Uber, while the CAA data indicates the proportions for these categories are 46% and 38% respectively. These differences make assessment of surface access implications problematic.

#### Evidence Base

The issues raised above relating to flight numbers also affect the quality of the information available to assess assertions in the Draft Master Plan relating to surface access. The existence of two different sources of passenger modal splits, with a significant difference between them, makes the surface access impact assessment even more problematic. In addition, it appears that no detailed modelling has been carried out by the Airport for either public transport or highway demand and capacity. Public transport improvement schemes listed are not for the most part based on any substantive and funded proposals from Transport for London and therefore are not considered to be plausible at present.

#### g) Other

##### i) Socio-Economics

The Local Planning Authority notes that the number of jobs forecast to be created as a result of the proposed increase in the number of passengers and flights is 1,400.

#### Evidence Base

The impact of the Draft Master Plan on health has not been addressed and no details have been provided on how the local supply chain would be developed up to 2035.

##### ii) Ecology

The Draft Master Plan states that the Public Safety Zone will be enlarged as a result of the proposed increase in flights, which may affect development potential in the vicinity of the Airport.

However the Draft Master Plan states that the wider safeguarded area, which currently does restrict the development potential of sites close to the Airport and the extent of biodiversity for safety reasons, is, "not expected to be affected".

#### Evidence Base

The Local Plan identifies the Royal Docks as a Site of Importance for Nature Conservation where policy INF6 is of particular relevance. However, there is no assessment of the effect of the proposed increased number of flights – including noise and vibration on biodiversity or bats. A

bat survey including details of any mitigation and an assessment of relevant biodiversity is required. This is particularly pertinent given the effect of the CADP permission on the marine habitat in the King George V Dock, and any additional extension into the dock as referenced in the Draft Master Plan. Any such assessment should include details of the effectiveness of the artificial fish refugia installed in 2017 as part of the CADP permission.

iii) Water Quality

Evidence Base

The Draft Master Plan includes a commitment to maintaining water quality in the docks. However:

- there is no assessment of the likely cumulative effects on water quality in the King George V and Royal Albert Docks;
- there are no mitigation measures mentioned to prevent possible deoxygenation of the docks. The issue of deoxygenation is covered in the evidence base but not the Draft Master Plan itself; and,
- there is no indication of the effect that the CADP development has had.

iv) Archaeology and Heritage

Evidence Base

The Draft Master Plan states a commitment to the protection of archaeology and other heritage features. However:

- there is no assessment of the heritage value of the Royal Docks and in particular King George V Dock;
- the area for the assessment of built heritage – 1 km from the centre of the site – does not enable assessments to be made of the effect of the proposed increased number of ATMs on listed structures beyond the ends of the runway; and,
- there is no assessment of the effect of the increased number of ATMs on heritage assets, to include noise and vibration.

7) Cumulative Impact of Air Traffic Movements

No assessment of the cumulative effect on Newham of actual and proposed aircraft movements from London airports has been identified in the Draft. Currently Heathrow Airport flights cross Newham above London City Airport movements. Heathrow is proposing a major expansion, a consequence of which could be a large increase in the number of aircraft over Newham.

This applies particularly, but not exclusively, to noise levels.

8) Conclusions

The Local Planning Authority has raised a number of concerns regarding the Draft Master Plan, and in particular noted the level of information supplied by the Airport in its evidence base as being



insufficient for the purposes of detailed assessment. As a consequence, the LPA's ability to provide a detailed response has been greatly limited.

The Local Planning Authority would expect any final Master Plan to be fully compliant with the provisions of the Development Plan (London Plan and Local Plan), the National Planning Policy Framework, APF and other relevant policy and guidance.

The Local Planning Authority concludes that based on the information contained within the Draft Master Plan, there are certain instances where the amenities of the residents of Newham and others will, or, are likely to be, adversely affected, as follows:

- a) Extension of operating hours – This will increase noise levels and worsen air quality. The extent of these changes is not possible to calculate at present given the lack of detailed information available.
- b) Any increase in the intensity of operations during existing operating hours – This will increase noise levels and worsen air quality. The extent of these changes is not possible to calculate at present given the lack of detailed information available.
- c) An overall increase in the number of flights which will negate the reduction in the size of the 57dB noise contour to meet the requirements of Condition 33 of the CADP permission.

The Local Planning Authority would therefore specifically oppose the inclusion of these proposals in the Master Plan, as being discordant with the provisions of the Council's Development Plan where no material consideration has been identified to justify their acceptance.

The Local Planning Authority would expect that the technical and other queries raised above be addressed in detail, as far as possible, in the final version of the Master Plan.

This letter summarises the Local Planning Authority's comments on the Draft Master Plan and evidence base.

The Local Planning Authority thanks London City Airport for the opportunity to respond to the consultation. Please note that the above comments are made without prejudice to any response that the Local Planning Authority may make to a related planning application.

Yours faithfully,



Amanda Reid  
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